

EXHIBIT J

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September 29, 1999

Benjamin M. Garland, Esquire
Hall, Bloch, Garland & Myer, LLP
1500 Charter Medical Building
577 Mulberry Street
P. O. Box 5088
Macon, Georgia 31208-5088

RE: *Lester F. Kirkland, Jr. v. Norfolk Southern Railway Company*
State Court of Bibb County, C/A No. 45273

Dear Mr. Garland:

Mr. Harry Fishel, our plant manager at our Aiken, South Carolina kaolin mine, has forwarded your letter of September 15th to me. I have reviewed the information you provided with the letter and must respectfully decline to assume the defense of this action.

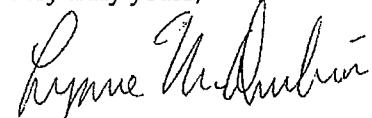
The contract agreement to which you point for our indemnification obligation deals with a license for the use of certain premises at our clay mine location in Aiken. The obligations contained in that document do not include responsibilities with respect to the care of rail cars. Nor do they refer to responsibility for rail cars that are not at our site. My reading of the complaint indicates that the plaintiff alleges that his accidents occurred at the Aiken Depot and near Warrenton, South Carolina. Neither of these locations are at our site.

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If you wish to discuss this matter further, please do not hesitate to contact me.

Very truly yours,



Lynne M. Durbin
Division Counsel

LMD:vdw

cc: H. Fishel